


**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JOSEPH ANTONE DIXON,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-21-910-SLP
)	
SCOTT CROW,)	
)	
Respondent.)	

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Amanda Maxfield Green entered on November 2, 2021 [Doc. No. 5]. Judge Green recommends dismissal of this action pursuant to Fed. R. Civ. P. 41(b) on grounds Petitioner did not timely respond to her Order to Cure Deficiency [Doc. No. 4], which directed Petitioner to pay the filing fee on or October 18, 2021. However, on November 5, 2021, prior to the deadline within which Petitioner was required to object to the Report and Recommendation, he paid the \$5.00 filing fee. Because Petitioner has now paid the filing fee, the Report and Recommendation is adopted to the extent it finds Petitioner did not timely respond to the Order to Cure deficiency. But the Court declines to adopt the Report and Recommendation to the extent it recommends dismissal of the action and re-refers the matter to the Magistrate Judge for further proceedings.

IT IS SO ORDERED this 5th day of November, 2021.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE